



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

August 17, 2021

True Organics Products
16782 W. Kamm Avenue
Helm, CA 93627

Dear Applicant:

Subject: Resolution No. 12893 - Initial Study No. 7744 and Classified
Conditional Use Permit Application No. 3660

On July 15, 2021, the Fresno County Planning Commission approved your above-referenced project with Conditions. A copy of the Planning Commission Resolution is enclosed.

Since no appeal was filed with the Clerk to the Board of Supervisors within 15 days, the Planning Commission's decision is final.

The approval of this project will expire two years from the date of approval unless a determination is made that substantial development has occurred. When circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant an extension not to exceed one additional year. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Conditional Use Permit.

If you have any questions regarding the information in this letter please contact me at tkobayashi@fresnocountyca.gov or 559-600-4224.

Sincerely,

Thomas Kobayashi, Planner
Development Services and Capital Projects Division

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Enclosure

CC: Dirk Poeschel, Land Development Services



Inter Office Memo

DATE: July 15, 2021
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12893 - INITIAL STUDY NO. 7744 AND CLASSIFIED
CONDITIONAL USE PERMIT APPLICATION NO. 3660

APPLICANT/
OWNER: True Organics Products

REQUEST: Allow the production, packaging, and storage of organic
fertilizer products on a 8.04-acre parcel in the AE-20
(Exclusive Agricultural, 20-acre minimum parcel size) Zone
District.

LOCATION: The subject site is located on the north side of W. Kamm
Avenue approximately 950 feet east of its intersection with
State Route 145 (S. Lassen Avenue) and is approximately
5.9 miles southeast of the City of San Joaquin (16782 W.
Kamm Avenue) (APN 040-010-04) (Sup. Dist. 1).

PLANNING COMMISSION ACTION:

At its hearing of July 15, 2021, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Eubanks and seconded by Commissioner Chatha to adopt the Mitigated Negative Declaration prepared for the project based on Initial Study No. 7744, adopt the required Findings of Fact as recommended by staff, and approve Classified Conditional Use Permit No. 3660, subject to the Conditions listed in Exhibit B.

EXHIBIT A

Initial Study No. 7744

Classified Conditional Use Permit Application No. 3660

Staff: The Fresno County Planning Commission considered the Staff Report dated July 15, 2021 and heard a summary presentation by staff.

Applicant: The Applicant's representative concurred with the Staff Report and the recommended Conditions. She described the project and offered the following information to clarify the intended use:

- Your Commission approved the expansion of our main fertilizer facility located approximately 3.4 miles west of the subject site.
- The subject facility will be remodeled to provide storage for the main fertilizer facility in order to accommodate peaks and valleys in market demand.
- No new construction is proposed.
- The project will generate less than 50 vehicle trips per day.
- The warehouse site will only be populated by True Organics employees when necessary.
- Most storage of the products will occur within the facility, thereby reducing adverse impacts on surrounding properties.
- The proposed warehouse facility will not manufacture any fertilizer onsite.

Others: No other individuals presented information in support of or in opposition to the application.

Correspondence: No letters were presented to the Planning Commission in support of or in opposition to the application.

**Mitigation Monitoring and Reporting Program
Initial Study No. 7744
Classified Conditional Use Permit Application No. 3660
(Including Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No. *	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	All outdoor lighting shall be hooded and directed downwards so as not to shine on adjacent properties or public right-of-way.	Applicant	Applicant/Department of Public Works and Planning (PW&P)	Ongoing
Conditions of Approval					
1.	Development of the property shall be substantially in accordance with the Site Plans, Floor Plans, Elevations, and Operational Statement as approved by the Planning Commission.				
*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document. Conditions of Approval reference required Conditions for the project.					
Notes					
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.					
1.	The Zoning Section of the Fresno County Department of Public Works and Planning provide the following comments:				
2.	<p>a. When submitting for building permit and/or change of occupancy permit, site plans and floor plans indicating a specified use shall be submitted to the Zoning Section.</p> <p>b. All structures that will be utilized for indoor processing and storage will require a Change of Occupancy Permit. The Site Plan Review Section of the Fresno County Department of Public Works and Planning, provide the following comments:</p> <p>a. A site plan showing parking dimensions, back-up space, width of isles, turn around radius, etc. shall be submitted to confirm parking requirements.</p> <p>b. The operational statement indicates the facility will employ up to 10 employees; a minimum of five (5) parking stalls shall be required. One of which shall be ADA van accessible.</p> <p>c. Parking spaces shall be constructed in compliance with State and County standards.</p> <p>d. All parking spaces for the physically disabled shall be placed adjacent to facility access ramps or in strategic areas where the disabled shall not have to travel behind parking spaces other than to pass behind the parking space in which they parked.</p> <p>e. An encroachment permit shall be required from Road Maintenance and Operations for any improvements within the</p>				

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<p>County right-of-way prior to commencement of construction.</p> <ul style="list-style-type: none"> f. Internal access roads shall comply with required widths by the Fire District for emergency apparatus. g. A dust palliative should be required on all parking and circulation areas. h. Any proposed gate that provides initial access to this site shall be setback from the edge of the road right-of-way a minimum of 20 feet or the length of the longest vehicle to enter the site, whichever is greater. i. Any proposed landscape improvement area of 500 square feet or more shall comply with California Code of Regulations Title 23, Division 2 Chapter 2.7 Model Water Efficient Landscape Ordinance (MWELO) and require submittal of Landscape and Irrigation plans per Governors Drought Executive Order of 2015. The Landscape and Irrigation plans shall be submitted to the Department of Public Works and Planning, Site Plan Review Section for review and approval prior to the issuance of building permits. j. All proposed signs, require submittal to the Department of Public Works and Planning permits counter to verify compliance with the Zoning Ordinance. Off-site signs are expressly prohibited for commercial uses in the AE (Exclusive Agriculture) Zone District. k. No building height or structure erected in the AE District shall not exceed thirty-five (35) feet in height, per Section 816.5.D of the Zoning Ordinance. 	<p>3. Plans, permits, and inspections are required for any and all on-site improvements.</p> <p>4. The Development Engineering Section of the Fresno County Department of Public Works and Planning provide the following comments:</p> <ul style="list-style-type: none"> a. According to FEMA FIRM Panel 2575H, portion of the subject parcel are in Zone A which is subject to flooding from the 100-year storm. If any development is within the area identified as Zone A, it must comply with the County Flood Hazard Ordinance (Title 15.48). b. Typically, any additional runoff generated by the proposed development of this site cannot be drained across property lines and must be retained or disposed of, per County Standards. c. An Engineered Grading and Drainage Plan and a grading permit are required. d. Typically, any access driveway should be set back a minimum of 10 feet from the side property line. e. For any unpaved or gravel surface access roads, the first 100 feet off of the edge of the road right-of-way must be graded and asphalt concrete paved or treated with dust palliative. f. Any work done within the right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division. g. Typically, with access for any new development along arterials, turnaround facilities shall be provided on parcels
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	<p>having direct access to collectors so that vehicles do not back out onto the roadway.</p> <p>h. Typically, in an arterial classification, if not already present, on-site turnarounds are required for vehicles leaving the site to enter the arterial road in a forward motion so that vehicles do not back out onto the roadway. Direct access to an arterial road is usually limited to one common point. No new access points are allowed without prior approval, and any existing driveway shall be utilized.</p> <p>i. Typically, any existing or proposed entrance gate should be set back a minimum of 20 feet from the road right-of-way line or the length of the longest truck entering the site and shall not swing outward.</p>
<p>5.</p>	<p>The Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning provide the following comments:</p> <p>a. Kamm Avenue is classified as an arterial road in the County's General Plan and requires 106 feet of road right-of-way.</p> <p>b. The proposed entrance swing gates along Kamm Avenue should be set back a minimum of 20 feet from road right-of-way of Kamm Avenue, or such other extra depth, so as to eliminate the largest vehicle from idling in the road right-of-way when stopped to open the gate.</p> <p>c. For all access driveways onto Kamm Avenue, the first 100 feet of the roadway or driveway from the public road must be paved or treated with dust palliative to minimize tracking and dust pollution to County roads.</p> <p>d. An encroachment permit from the Fresno County Road Maintenance and Operations Division is required for any work in the County road right-of-way such as new driveways or pavement improvements.</p>
<p>6.</p>	<p>The Department of Public Health, Environmental Health Division provide the following comments:</p> <p>a. Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. any business that handles a hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95. The default State reporting thresholds that apply are: >55 gallons (liquids), >500 pounds (solids), >200 cubic feet (gases), or at the threshold planning quantity for extremely hazardous substances.</p> <p>b. All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. This Division discusses proper labeling, storage, and handling of hazardous waste.</p> <p>c. The Applicant should be advised of the State of California Public Resources Code, Division 30, Waste Management, Chapter 16, Waste Tire Facilities and Chapter 19, Waste Tire Haulers, which may require the Owner/Operator to obtain a permit from the California Department of Resources, Recycling and Recovery (CalRecycle).</p> <p>d. The proposed project has the potential to expose nearby residents to elevated noise levels. Consideration should be given to the Fresno County Noise Ordinance.</p>

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	<p>e. It is recommended that the applicant consider having the existing septic tanks pumped and have the tank and leach fields evaluated by an appropriately licensed contractor if it has not been serviced and/or maintained within the last five years. The evaluation may include possible repairs, additions, or require the proper destruction of the system.</p>
<p>7.</p>	<p>f. The location of the onsite sewage disposal area should be identified and cordoned off to prevent truck trailer traffic from driving over, causing damage and possible failure of the septic system.</p> <p>The proposed project is subject to Senate Bill 1263 (SB 1263). SB 1263 requires a person submitting an application for a permit for a proposed new public water system (PWS) to first submit a preliminary technical report to the State Board at least 6 months before initiating construction of any water-related improvement. The State Board is authorized to deny the permit of a proposed PWS if it determines that it is reasonably foreseeable that the proposed new PWS will be unable to provide affordable, safe drinking water in the reasonably foreseeable future. The requirements in SB 1263 do not apply to a service area where an applicant certifies in writing to the State Board that the Applicant will not rely on the establishment of a new PWS for its water supply.</p>
<p>8.</p>	<p>If future development is sought, the project/development shall annex to Community Facilities District No. 2010-01 of the Fresno County Fire Protection District. The project/development also will be subject to the requirements of the current Fire Code and Building Code when a building permit or certificate of occupancy is sought.</p>

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